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## NOTICE OF ALLOWANCE AND FEE(S) DUE

39262 7590 08/28/2008

MERCHANT & GOULD BELLSOUTH CORPORATION  
P.O. BOX 2903  
MINNEAPOLIS, MN 55402

EXAMINER

LIN, WEN TAI

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 08/28/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,471	06/29/2001	Mary F. Hollinger	60027.0004US01/B/S00318	9254

TITLE OF INVENTION: AUTOMATED REAL-TIME APPOINTMENT CONTROL BY CONTINUOUSLY UPDATING RESOURCES FOR POSSIBLE RESCHEDULING OF EXISTING APPOINTMENTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/28/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

**HOW TO REPLY TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to:** **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax** **(571) 273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

39262            7590            08/28/2008

**MERCHANT & GOULD BELLSOUTH CORPORATION**  
**P.O. BOX 2903**  
**MINNEAPOLIS, MN 55402**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,471	06/29/2001	Mary F. Hollinger	60027.0004US01/B/S00318	9254

**TITLE OF INVENTION: AUTOMATED REAL-TIME APPOINTMENT CONTROL BY CONTINUOUSLY UPDATING RESOURCES FOR POSSIBLE RESCHEDULING OF EXISTING APPOINTMENTS**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/28/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
LIN, WEN TAI	2154	709-203000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys

or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

### 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

#### 4a. The following fee(s) are submitted:

- Issue Fee
- Publication Fee (No small entity discount permitted)
- Advance Order - # of Copies \_\_\_\_\_

#### 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- A check is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

#### 5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or the amount of time you require to complete this form or your suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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39262	7590	08/28/2008		EXAMINER
MERCHANT & GOULD BELLSOUTH CORPORATION				LIN, WEN TAI
P.O. BOX 2903				ART UNIT
MINNEAPOLIS, MN 55402				PAPER NUMBER 2154
DATE MAILED: 08/28/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 530 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 530 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b> 09/896,471	<b>Applicant(s)</b> HOLLINGER ET AL.
	<b>Examiner</b> Wen-Tai Lin	<b>Art Unit</b> 2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 6/02/2008.
2.  The allowed claim(s) is/are 1-6, 10-16 and 20-24, renumbered as 1-16.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**EXAMINER'S AMENDMENT**

1. An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

Authorization for the examiner's amendment was given in a telephone interview with Mr. Alton Hornsby III, reg. no. 47299, on August 4, 2008.

2. In the claims: please claims 1, 11 and 22 as follows:

1. (Currently Amended) A[[n]] computerized appointment setting system for assigning a service order to a network resource, comprising:
  - an appointment negotiator operative to
    - receive a service order from a customer, the service order comprising a requested appointment time; and
    - deliver ~~one or~~ an appointment confirmation and or an appointment rejection to the customer;
  - a dispatch database comprising a technician and an appointments table, the dispatch database operative to maintain a dispatch database record of appointments previously assigned to a network resource; and

an appointment control system operative to

receive the service order from the appointment negotiator;

receive updated availability and capacity information associated

with the network resource;

determine whether the network resource can fulfill the service  
order based on the updated availability and capacity information;

assign a requested appointment associated with the service order to  
the network resource and send an appointment confirmation to the appointment  
negotiator, in response to a determination that the network resource can fulfill the service  
order;

continuously update the dispatch database to determine whether a change has  
occurred to the dispatch database record associated with the network resource;

determine whether the change affects the appointment associated  
with the service order, in response to a determination that a change to the dispatch  
database record associated with the network resource has occurred;

determine whether another network resource from the technician table is qualified  
to fulfill the service order and is available at the requested appointment time, in response to a  
determination that the change affects the appointment associated with the service order;

if another qualified network resource is available to fulfill the service order at the  
requested appointment time, automatically reassign the appointment to the other qualified  
network resource without requiring the involvement of the appointment negotiator;

notify the appointment negotiator to reschedule the service order,

in response to a determination that ~~the another~~ no other qualified network resource is ~~not~~ available to fulfill the service order at the requested appointment time, wherein the appointment negotiator contacts the customer to reschedule the service order at an alternative appointment time; and

automatically reassign the requested appointment associated with the service order to ~~the~~ another network resource in order to fulfill the requested appointment at the alternative appointment time, in response to notifying the appointment negotiator to reschedule the service order and the appointment negotiator contacting the customer.

11. (Currently Amended) A computerized method for setting an appointment, the method comprising:

receiving a service order from an appointment negotiator, the service order comprising a requested appointment time;

receiving updated availability and capacity information associated with a network resource from a dispatch database comprising a technician table and an appointments table, wherein the dispatch database is configured to maintain real time availability and capacity information associated with a plurality of network resources;

determining whether the network resource can fulfill the service order based on the updated availability and capacity information;

sending an appointment rejection to the appointment negotiator, in response to a determination that the network resource cannot fulfill the service order;

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sending an appointment confirmation to the appointment negotiator and assigning a requested appointment associated with the service order to the network resource for completion of the requested appointment, in response to a determination that the network resource can fulfill the service order;

continuously updating the dispatch database to reflect a reduction in a capacity value associated with the network resource, in response to sending the appointment confirmation;

determining whether availability of the network resource has changed;

if the availability of the network resource has changed, then determining whether the change affects the appointment associated with the service order;

if the change affects the appointment associated with the service order, then determining whether another network resource is qualified to fulfill the service order and is available at the requested appointment time;

if another qualified network resource is available to fulfill the service order at the requested appointment time, automatically reassign the appointment to the other qualified network resource without requiring the involvement of the appointment negotiator;

if the another no other qualified network resource is not available to fulfill the service order at the requested appointment time, then notifying the appointment negotiator to reschedule the service order, wherein the appointment negotiator contacts a customer requesting the service order to reschedule the service order at an alternative appointment time; and

automatically reassigning the appointment to the another network resource

to fulfill completion of the requested appointment at the alternative appointment time in response to notifying the appointment negotiator to reschedule the service order and the appointment negotiator contacting the customer.

22. (Currently Amended) A computerized method for setting an appointment, the method comprising:

receiving a service order from an appointment negotiator, the service order comprising a requested appointment time;

determining whether a network resource can fulfill the service order, by checking the records of a dispatch database ~~record~~ for updated availability and capacity information associated with the network resource, wherein the dispatch database comprises a technician table and an appointments table and is configured to maintain real time availability and capacity information associated with a plurality of network resources;

sending an appointment rejection to the appointment negotiator, in response to a determination that the network resource cannot fulfill the service order;

sending an appointment confirmation to the appointment negotiator, in response to a determination that the network resource can fulfill the service order according to a requested appointment time;

assigning the appointment to the network resource based on the requested appointment, wherein the appointment is scheduled for the network resource;

updating the dispatch database record to reflect the assignment of the appointment to the network resource, in response to sending the appointment confirmation;

continuously determining whether a change has occurred to the dispatch database record;

determining whether the change affects the appointment, in response to a determination that the change has occurred to the dispatch database record;

determining whether another network resource from the technician table is qualified to fulfill the service order and is available at the requested appointment time, in response to a determination that the change affects the appointment associated with the service order;

if another qualified network resource is available to fulfill the service order at the requested appointment time, automatically reassign the appointment to the other qualified network resource without requiring the involvement of the appointment negotiator;

notifying the appointment negotiator to reschedule the service order, in response to a determination that ~~the another no other~~ qualified network resource is ~~not~~ available to fulfill the service order at the requested appointment time, wherein the appointment negotiator contacts a customer requesting the service order to reschedule the service order at an alternative appointment time; and

automatically reassigning the appointment to ~~the~~ another network resource to fulfill the requested appointment at the alternative appointment time, in response to notifying the appointment negotiator to reschedule the service order and the appointment negotiator contacting the customer.

3. Pursuant to MPEP 606.01, the title has been changed to read:

-- AUTOMATED REAL-TIME APPOINTMENT CONTROL BY CONTINUOUSLY  
UPDATING RESOURCES FOR POSSIBLE RESCHEDULING OF EXISTING  
APPOINTMENTS --.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571)272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(571)273-8300 for official communications; and

(571)273-3969 for status inquires/draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

August 4, 2008

/Wen-Tai Lin/

Primary Examiner, Art Unit 2154